COMMISSION REGULATION (EC) No 2416/95

of 13 October 1995

laying down detailed rules for the application of Council Regulation (EC) No 2179/95 concerning the autonomous and transitional adaptation of certain agricultural concessions provided for in the Europe Agreements and amending Regulation (EC) No 3379/94 opening and administering certain Community tariff quotas in 1995 for certain agricultural products and for beer, as regards imports into the Community of certain agricultural products originating in Poland

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2179/95 of 8 August 1995 providing for the adjustment, as an autonomous and transitional measure, of certain agricultural concessions provided for in the Europe Agreements and amending Regulation (EC) No 3379/94 opening and administering certain Community tariff quotas in 1995 for certain agricultural products and for beer, to take account of the Agreement on Agriculture concluded during the Uruguay Round Multilateral Trade Negotiations [1], and in particular Article 2 thereof,

Whereas Poland has taken or will take as soon as possible, with regard to the Community, measures having comparable effects to those provided for in paragraphs 1, 8 and 9 of Article 2 of Regulation (EC) No 2179/95;

Whereas it is therefore necessary, in accordance with paragraph 10 of the above Article, to implement the measures provided for in paragraphs 1, 8 and 9 of the above Article;

Whereas, as a consequence, it is necessary to amend, for the period 1 July to 31 December 1995, the Commission Regulations implementing the Europe Agreements with Poland [2] and implementing Council Regulation (EC) No 3379/94 of 22 December 1994 opening and administering certain Community tariff quotas in 1995 for certain agricultural products and for beer [3];

Whereas it is thus necessary to amend the following Regulations:

— Regulation (EEC) No 584/92 [4], as last amended by Regulation (EC) No 2252/95 [5],

— Regulation (EEC) No 2689/93 [6], as last amended by Regulation (EC) No 2252/95,

— Regulation (EEC) No 2699/93 [7], as last amended by Regulation (EC) No 2252/95,

— Regulation (EC) No 121/94 [8], as last amended by Regulation (EC) No 2252/95,

— Regulation (EC) No 629/95 [9], as last amended by Regulation (EC) No 2252/95,

— Regulation (EC) No 1439/95 [10], as last amended by Regulation (EC) No 2252/95,

— Regulation (EC) No 1440/95 [11], as last amended by Regulation (EC) No 2252/95,

— Regulation (EC) No 1942/95 [12], as last amended by Regulation (EC) No 2252/95;

Whereas it is also necessary, as provided for in Article 2 (9) of Regulation (EC) No 2179/95 to reduce to ECU 399 per tonne, for the period from 1 July to 31 December 1995, the specific amount applicable within the quota of 169 000 head of young bovine animals for fattening opened within the framework of the GATT;

Whereas Commission Regulation (EC) No 1462/95 of 27 June 1995 opening and providing for the administration of an import tariff quota for young male bovine animals for fattening (1 July 1995 to 30 June 1996) [13] should be amended accordingly;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committees concerned,

HAS ADOPTED THIS REGULATION:

Article 1

The preferential import duties on agricultural products originating in Poland provided for in the Regulations implementing the Europe Agreement with Poland and in the Regulations implementing Regulation (EC) No 3379/94, which are listed in Annex I to this Regulation are hereby replaced by those provided for in Annex II to this Regulation.

[1] OJ No L 223, 20. 9. 1995, p. 29.
[2] OJ No L 348, 31. 12. 1993, p. 1.
[3] OJ No L 366, 31. 12. 1994, p. 3.
[4] OJ No L 62, 7. 3. 1992, p. 34.
[5] OJ No L 230, 27. 9. 1995, p. 12.
[6] OJ No L 245, 1. 10. 1993, p. 80.
[7] OJ No L 245, 1. 10. 1993, p. 88.
[8] OJ No L 121, 26. 1. 1994, p. 3.
[9] OJ No L 66, 24. 3. 1995, p. 6.
[10] OJ No L 143, 27. 6. 1995, p. 7.
[11] OJ No L 143, 27. 6. 1995, p. 17.
[12] OJ No L 186, 5. 8. 1995, p. 30.
[13] OJ No L 144, 28. 6. 1995, p. 6.

Article 2

Regulation (EC) No 1462/95 is hereby amended as follows:

1. The following paragraph 5 is added to Article 1:

'5. For the period 1 July to 31 December 1995, the import duty to be applied to products originating in Poland shall be ECU 399 per tonne plus 16 %.'

2. The following subparagraph is added to Article 6 (3):

'However, for the period 1 July to 31 December 1995, the security for products originating in Poland shall be ECU 968 per tonne.'

Article 3

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities.*

It shall apply from 1 July to 31 December 1995.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 13 October 1995.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

LIST OF REGULATIONS REFERRED TO IN ARTICLE 1

Cereals sector

Regulation (EC) No 121/94 (OJ No L 121, 26. 1. 1994, p. 3), as amended by Regulation (EC) No 1906/94 (OJ No L 194, 29. 7. 1994, p. 26) and last amended by Regulation (EC) No 2252/95 (OJ No L 230, 27. 9. 1995, p. 12).

Milk products sector

Regulation (EEC) No 584/92 (OJ No L 62, 7. 3. 1992, p. 34), as last amended by Regulation (EC) No 2252/95 (OJ No L 230, 27. 9. 1995, p. 12).

Commission Regulation (EC) No 629/95 (OJ No L 66, 24. 3. 1995, p. 6), as last amended by Regulation (EC) No 2252/95 (OJ No L 230, 27. 9. 1995, p. 12).

Pigmeat sector

Regulation (EEC) No 2698/93 (OJ No L 245, 1. 10. 1993, p. 80), as last amended by Regulation (EC) No 2252/95 (OJ No L 230, 27. 9. 1995, p. 12).

Poultrymeat and eggs sector

Commission Regulation (EEC) No 2699/93 (OJ No L 245, 1. 10. 1993, p. 88), as last amended by Regulation (EC) No 2252/95 (OJ No L 230, 27. 9. 1995, p. 12).

Sheepmeat and goatmeat sector

Regulation (EC) No 1439/95 (OJ No L 143, 27. 6. 1995, p. 7), as last amended by Regulation (EC) No 2252/95 (OJ No L 230, 27. 9. 1995, p. 12).

Regulation (EC) No 1440/95 (OJ No L 143, 27. 6. 1995, p. 17), as amended by Regulation (EC) No 2252/95 (OJ No L 230, 27. 9. 1995, p. 12).

Beef and veal sector

Commission Regulation (EC) No 1942/95 (OJ No L 186, 5. 8. 1995, p. 30), as last amended by Regulation (EC) No 2252/95 (OJ No L 230, 27. 9. 1995, p. 12).

ANNEX II

Imports into the Community of the following products originating in Poland shall be subject to the concessions set out below (MFN= most favoured nation duty) (1).

CN code	Description	Quantity	Comments	Duty (% of MFN)
0101 19 10		unlimited	(2)	free
0103 92 19		quota		20
0104 10 30 0104 10 80 0104 20 10 0104 20 90		quota	(3) (4) (3) (4) (3) (4) (3) (4)	free
0204			(3)	free
0201 0202		quota		20
0203 11 10 0203 21 10 ex 0203 12 ex 0203 22 0203 19 55 0203 29 55 0203 19 11 0203 19 13 0203 19 15 0203 19 59 0203 29 11 0203 29 13 0203 29 15 0203 29 59		quota	 (5) (5)	20
0203 11 90 0203 12 90 0203 19 90 0203 21 90 0203 22 90 0203 29 90		unlimited		free
0206 80 91 0206 90 91		unlimited		50
0105 91 00 0207 10 11 0207 10 15 0207 10 19 0207 21 10 0207 21 90		quota		20
0207 39 11 0207 39 13 0207 39 15 0207 39 17 0207 39 21 0207 39 23 0207 39 27 0207 41 10 0207 41 11 0207 41 21		quota		20

CN code	Description	Quantity	Comments	Duty (% of MFN)
0207 41 31 0207 41 41 0207 41 51 0207 41 71 0207 41 90				
0105 99 30 0207 10 31 0207 10 39 0207 22 10 0207 22 90 0207 39 31 0207 39 33 0207 39 35 0207 39 37 0207 39 41 0207 39 43 0207 39 45 0207 39 47 0207 39 51 0207 42 10 0207 42 11 0207 42 21 0207 42 31 0207 42 41 0207 42 51 0207 42 59 0207 42 71		quota		20
0207 10 51 0207 10 55 0207 23 11 0207 10 59 0207 23 19 ex 0207 39 55 ex 0207 43 15 ex 0207 39 73 ex 0207 43 53 ex 0207 39 77 ex 0207 43 63	Cuts of ducks, boneless, fresh, chilled or frozen Breasts and cuts thereof, of ducks, with bone-in, fresh, chilled or frozen Legs and cuts thereof, of ducks, with bone-in, fresh, chilled or frozen	quota		20
0105 99 20 0207 10 71 0207 10 79 0207 23 51 0207 23 59 0207 39 53 0207 43 11 0207 39 61 0207 43 23 ex 0207 39 65 ex 0207 43 31 ex 0207 39 67 ex 0207 43 41 0207 39 71 0207 43 51 0207 39 75 0207 43 61	Whole wings, with or without tips, of geese, fresh, chilled or frozen Backs, necks, backs with necks attached, rumps and wings tips, of geese, fresh, chilled or frozen	quota		20

CN code	Description	Quantity	Comments	Duty (% of MFN)
ex 0207 39 81 ex 0207 43 71	Goose paletots, fresh, chilled or frozen			
ex 0207 39 85 ex 0207 43 90	Goose offal, other than livers, fresh, chilled or frozen			
0207 31 0207 50 10		unlimited		free
0208 10 11		unlimited		70
0208 10 19				70
0208 10 90				free
0208 20 00				free
0208 90 10				50
0208 90 20				free
0208 90 40				free
0210 11 11 0210 11 19 0210 11 31 0210 11 39 0210 11 90 0210 12 11 0210 12 19 0210 12 90 0210 19 10 0210 19 20 0210 19 30 0210 19 40 0210 19 51 0210 19 59 0210 19 60 0210 19 70 0210 19 81 0210 19 89 0210 19 90		quota		20
0402 10 19 0402 21 19 0402 21 99		quota		20
0405 00 11 0405 00 19		quota		20
0406		quota		20
0407 00 11 0407 00 19 0407 00 30		quota		20
0408 91 80 0408 99 80		quota		20
0409 00 00		unlimited		93
0602 40 90		unlimited		46
0603 90 00		unlimited		35

CN code	Description	Quantity	Comments	Duty (% of MFN)
ex 0604 10 90	fresh	unlimited		70
0604 91 21				70
0604 91 29				70
0604 91 41				70
0604 91 49				70
0604 91 90				70
0604 99 10				50
0604 99 90				82
0701 10 00		quota		20
0701 90 90		quota		
0703 10 11		quota		20
0703 10 19		quota		
0703 10 90		quota		
0703 20 00		quota		
0703 90 00		quota		
0704 10 10		quota		20
0704 10 90				
0704 20 00				
0704 90 10				
0704 90 90				
0705 11 10		quota		20
0705 11 90				
0705 19 00				
0705 21 00				
ex 0706 10 00	Carrots, fresh or chilled	quota		20
0706 90 11		quota		20
0706 90 19				
0706 90 30		unlimited		47
0706 90 90		quota		20
0707 00 10		quota	(6) (9)	20
0707 00 15			(6) (9)	
0707 00 20			(6) (9)	
0707 00 35			(6) (9)	
0707 00 40			(6) (9)	
0707 00 25		unlimited	(6) (9)	80
0707 00 30			(6) (9)	
0708 10 10		quota		20
0708 20 10				
0708 20 90				
0708 90 00				
0708 20 90		quota		
ex 0709 20 00	Asparagus from 1 October to 31 January	unlimited		75
0709 51 30				free

CN code	Description	Quantity	Comments	Duty (% of MFN)
0709 51 50		quota		20
0709 60 10		quota		20
0710 21 00 0710 22 00 0710 29 00 0710 30 00		quota quota quota quota		20
0710 80 59		unlimited		50
0710 80 85 0710 80 95 0710 90 00		quota quota		20
0711 40 00 0711 90 10		unlimited		80 50
0712 10 00		quota		20
0712 20 00		unlimited		50
0712 90 50		quota		20
ex 0712 90 90	Horse-radish	unlimited		free
0713 10 10 0713 20 10 0713 31 10 0713 32 10 0713 33 10 0713 39 10		unlimited		67
0808 10 51 0808 10 53 0808 10 59 0808 10 92 0808 10 94 0808 10 98 0808 10 61 0808 10 63 0808 10 69 0808 10 71 0808 10 73 0808 10 79		quota	 (6) (9) (6) (9) (6) (9) (6) (9) (6) (9) (6) (9)	20
0809 20 21 0809 20 31 0808 20 41 0809 20 11 0809 20 71 0809 20 51 0809 20 61		unlimited	(7) (6) (9) (6) (9) (6) (9) (6) (9)	73

CN code	Description	Quantity	Comments	Duty (% of MFN)
0809 40 30		quota	(6) (9)	20
0809 40 10				
0809 40 40				
0809 40 20			(6) (9)	
0809 40 90		unlimited		47
0810 20 10		unlimited	(8)	82
0810 20 90			(8)	42
0810 30 10			(8)	82
0810 30 30			(8)	82
0810 30 90			(8)	42
0810 40 30			(8)	free
0810 40 50			(8)	75
0810 40 90			(8)	42
0811 10 11		quota	(8) (9)	20
0811 10 19			(8)	
0811 10 90		unlimited	(8)	72
ex 0811 20 19	Raspberries, sugar content not > 13 % by weight		(8)	69
0811 20 31			(8)	78
0811 20 39			(8)	56
0811 20 51			(8)	67
0811 20 59		quota		20
0811 20 90				
0811 90 50				
0811 90 70				
0811 90 75				
0811 90 80				
0811 90 85				
0811 90 95				
0813 10 00		quota		20
0813 20 00				
0813 30 00				
0813 40 10				
0813 40 30				
0813 40 70				
0813 40 95				
0813 50 12				
0813 50 15				
0813 50 19				
0813 50 31				
0813 50 39				
0813 50 91				
0813 50 99				
0904 20 90		unlimited		33
1008 10 00		quota		20

CN code	Description	Quantity	Comments	Duty (% of MFN)
1008 13 00		quota		20
1601 00 91 1601 00 99		quota		20
1602 41 10 1602 42 10 1602 49 11 1602 49 13 1602 49 15 1602 49 19 1602 49 30 1602 49 50		quota		20
1602 20 11 1602 20 19		unlimited		69
ex 1602 90 31 ex 1602 90 31	Game Rabbit	unlimited		47 82
ex 2001 10 00	Cucumbers, preserved	quota		20
2001 90 20		unlimited		50
0711 90 40 2003 10 20 2003 10 30		quota	(10)	8,4 %
2005 40 00 2005 59 00		quota quota		20
2005 90 10		unlimited		50
ex 2007 99 31 2007 99 33 2007 99 35	Sour cherry jam	quota	(9) (9) (9)	20
ex 2007 99 39	With sugar content > 30 % by weight. Fruit falling within heading Nos 0801, 0803, 0804 (except figs and pineapples) 0807 20 00, 0810 20 90, 0810 30 90, 0810 40 10, 0810 40 50, 0810 40 90, 0810 90	unlimited	(9)	27
2008 80 50 2008 80 70 2008 80 99		quota		20
ex 2008 99 99	Fruit falling within heading Nos 0803, 0804 (except figs), 0807 20 00, 0810 20 90, 0810 30 90, 0810 40 10, 0810 40 50, 0810 40 90, 0810 90	unlimited		26
2009 70 19		quota		20
2009 70 30 2009 70 93 2009 70 99		unlimited		48

(1) Where ex CN codes are indicated, the preferential scheme is to be determined by application to the CN code and corresponding description taken together.

(2) Entry within this code is subject to conditions laid down in the relevant Community provisions.

(3) The Community may take into account, in the framework of its legislation and when appropriate, the supply needs of its market and the need to maintain its market balance.

(4) Possibility of converting limited quantities.

(5) Excluding tenderloin presented alone.

(6) See comments No 14 to 37 on entry prices, Schedule LXXX-European Communities, Section I-A.

(7) Minimum duty applicable = ECU 2,1/100 kg net.

(8) Subject to minimum import price arrangements contained in the Annex to Annexes VIII b and X c (Europe Agreement) for products for processing.

(9) The reduction applies only on the *ad valorem* part of the duty.

(10) Duty applicable = 8,4 % *ad valorem.*